(3)

No. 8233/co
Filed today 20.12.00
by Shri K.K.P. Shrivastava
For Registrar,
M.P. State Adm. Tribunal,
RAIPUR.

BEFORE THE HON'BLE STATE ADMINISTRATIVE TRIBUNAL

BENCH RAIPUR (CHHATTISGARH)

O.A.No. 1262 /2000

WP(S) 3486/01

APPLICANT : GANPAT RAM KUNJAM
S/O SHRI AMAR SINGH, aged 38 years
Asstt. Teacher, Primary School,
Village - AAREE, Block Development And
Post Office - DONGARGAON,
DISTT. RAJNANDGAON (CHHATTISGARH).

VERSUS.

NON-APPLICANT (1) State Govt. of Chhattisgarh
Through - Secretary,
School Education Deptt.
Raipur (Chhattisgarh).

(2) Distt. Education Officer,
Rajnandgaon (Chhattisgarh).

(3) Block Development Officer,
Dongargaon Distt. Rajnandgaon.

(4) The Principal,
Boys Higher Secondary School,
(Sankol) Dongargaon,
Distt. Rajnandgaon.

APPLICATION UNDER SECTION 19 OF ADMINISTRATIVE TRIBUNAL ACT 1985.

(30)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P.(S) No. 3486 of 2005

Petitioner : Ganpat Ram Kunjam

Versus

Respondents : State Govt. of Chhattisgarh & others

SB: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

Present: Shri Ajay Shrivastava, Advocate for the petitioner.
Smt. Anju Ahuja, Deputy Govt. Advocate for the respondents.

O R D E R

(Passed on this 28th day of February, 2007)

1. The petitioner was appointed as Assistant Teacher on fixed pay of Rs. 150/- vide order dated 28.1.1983. After completion of two year's probation, he was granted regular pay scale.
2. Learned counsel appearing for the petitioner submits that the issue involved in the case is asto whether the petitioner is entitled to regular pay scale w.e.f. the date of initial appointment or from the date of completion of probation period.
3. The issue involved, herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No. 2745/89 (Madhukant Yadu and 56 others Vs. State of M.P. & others), wherein it was held that the similarly situated teachers are entitled to regular pay scale w.e.f. the date of initial appointment. The matter was taken up to the Hon'ble Supreme Court in Special Leave Petition (Civil) No. 6892/93. The said petition was dismissed by the Hon'ble Supreme Court upholding the decision of the Tribunal to the effect that the Teachers/Assistant Teachers are entitled to regular pay scale from date of initial appointment.

(31)

4. Learned counsel appearing for the petitioner further submits that this Court, while considering the same issue in Ram Kumar Sahu & others Vs. State Govt. of Chhattisgarh & another (W.P. (S) No. 813 of 2007) by order dated 12-2-2007, has granted regular pay scale w.e.f. the date of initial appointment.

5. Learned counsel appearing for the parties jointly submit that this case is squarely covered by the decision of this Court in the case of Ram Kumar Sahu and another (Supra).

6. In view of that, this petition is allowed in the same terms. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur